## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

JORI GOLUBA	)		
Plaintiffs	,	Civil Action	
VS.	)	Case No:	04781
GE CAPTIAL RETAIL BANK	a/k/a )	Judge:	
SYNCHRONY BANK, MEYER & NJUS, P.A.	)		
Defendan	nts. )		

## **COMPLAINT**

NOW COMES the Plaintiff, JORI GOLUBA, by and through her attorney, Christopher J. Goluba, P.C. and for her complaint against GE CAPITAL RETAIL BANK a/k/a SYNCHRONY BANK & MEYER & NJUS. P.A. alleges as follows:

## COUNT I

- 1. There was at all times relevant in force a statute known as the Federal Fair Debt Collection Practices Act (15 U.S.C. 1601 et seq.) ("the Act")
- 2. That under Section 803 of the Act, the Defendants in this matter were Debt Collectors.
- 3. That Defendants sought to enforce a debt against the Plaintiff through legal proceedings in the 1st District Circuit Court (Cook County).
- 4. That under Section 811 of the Act, the Defendants had an obligation to file their Complaint in only in the judicial district or similar legal entity where 1) the consumer signed the subject contract or 2) where the consumer resides at the commencement of the action.
- 5. That Defendants failed to meet their obligations under the Act in that they filed their action against the Plaintiff in the First District of Cook County when the Plaintiff clearly resided in the Third District of Cook County, namely Schaumburg, Illinois.

- 6. That Defendants tried to cure the violation of the Act by moving the suit to the Third District.
- 7. However, under Suesz v. Med-1 Solutions, LLC, 2014 U.S.App. 12562 (7th Cir. 2014), the filing in the wrong Cook County District still constituted a violation under the Act.
- 8. That Plaintiff was damaged by Defendants' breach in that she had to hire counsel to have the matter transferred.
  - 9. That additionally, the Plaintiff has incurred attorney's fees in this action.

## WHEREFORE, Plaintiffs respectfully prays:

- A. That a judgment be entered in favor of Plaintiff and against the Defendants in an amount to be determined at trial;
  - B. That Plaintiff be awarded her attorneys fees; and
  - C. For such other relief that this court deems just and equitable.

By: /s/ Christopher J. Goluba /s/
One of its attorneys

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